

**MINUTES OF THE AVON LAKE  
PLANNING COMMISSION MEETING  
June 25, 2024**

A regular meeting of the Avon Lake Planning Commission was called to order on June 25, 2024, at 7:00 P.M. in Council Chambers with Chairperson Ma presiding.

**ROLL CALL**

Present for roll call were Mrs. Fenderbosch, Mr. Haas, Dr. Ma, Mr. Orille, Mrs. Raymond, Mr. Leitch, Mayor Spaetzel, Director of Law Ebert, Engineer Howard, Public Works Director Liskovec, and Planning & Zoning Manager La Rosa.

**APPROVAL OF MINUTES**

Mayor Spaetzel motioned, and Mrs. Raymond seconded approval of the April 2, 2024, meeting minutes as presented. Motion carried (6-0). Dr. Ma abstained due to being absent from the April meeting.

**READING OF GENERAL CORRESPONDENCE & ANNOUNCEMENTS**

None

**COUNCIL REPORT**

Mrs. Fenderbosch reported that the City Council has responded to everything that has come out of the Planning Commission to date.

**SWEARING IN**

Director of Law Ebert swore in applicants and members of the audience who planned to speak to items on the agenda.

**NEW CASES**

**CASE NO. CPC-24-11 Coveland Partners LLC, Site Plan Approval for a Newly Constructed 4,242 Square-Foot Building for a Restaurant and Wine Bar.** The property is located at 732 Avon Belden Road across from the intersection of Ryeberry Lane and Avon Belden Road. Based on approval from the Planning Commission this plan can go directly to the Avon Lake Building Department for permits.

Shaun Brady, of 59 Coveland Drive, Avon Lake, presented the site plan to the Planning Commission. Mr. Brady noted that the site entrance aligns with Ryeberry Lane and acknowledged that the cost of widening S.R. 83 and adding a turning lane into the site would fall to the developer. He explained that peak hours on the private property differ from peak hours on the street and that the offset lane and turn lane would address any off-site traffic issues.

David Maison, the project architect of 32110 Deerfield Drive, Avon Lake, described the site and building plans. He mentioned five trees on the site, including a red oak and a maple, which are integrated into the parking lot design. The building and entry are positioned to showcase the maple tree, visible both outside and inside the building, as a natural feature. A pond for water retention will be introduced, surrounded by natural indigenous plants to add color and height. The building's main structure, housing the dining and bar areas, will be a structural timber frame with significant height. A private dining area at the rear will also be constructed with a timber frame, while the kitchen, bath, and support spaces will be conventional frame structures. The building's layout includes a bar, high-top seating, built-in dining, and a mezzanine. A large glass door at the rear opens to the patio space, and the private room also features a glass door for outdoor access. The wood timber frame design evokes a contemporary and modern barn aesthetic. The exterior will transition from darker materials to lighter natural wood at the front and rear entrances.

In response to the Planning Commissioner's comments, Mr. Brady and Mr. Maison provided the following details:

1. A landscape architect has not yet been secured, so hardscape and fire features have not been finalized.
2. The exterior of the building will feature vertical ribbed metal siding and natural wood or a wood-like composite.
3. An alcove on the north elevation will serve as a windbreak.
4. Groundbreaking is planned for Fall 2024.
5. The dumpster area will be screened with metal siding and landscaping.
6. Operating hours will be seven days a week for lunch and dinner, with weekend brunches.
7. Future access to Pin Oak Parkway may be possible but would require an easement through Christ Church Westshore property.
8. The storm sewer line will be checked for reliability to ensure there are no breaks.
9. The existing gas well on the property has been plugged.
10. The parking plan has been accepted by Zoning.
11. The SWPPP long-term management plan will be submitted to Public Works.
12. An agreement for an easement on City property is being drafted.
13. A crosswalk across S.R. 83 will be added if warranted.
14. LED light levels will be carefully managed to minimize any disturbance to neighboring properties.
15. The maximum capacity will be 147 seats inside and 100 seats outside.

Mr. Haas motioned, and Mr. Leitch seconded, to approve Case No. CPC-24-11, Coveland Partners LLC, for the site plan of a newly constructed 4,242 square-foot restaurant and wine bar located at 732 Avon Belden Road, subject to the following conditions:

1. The architectural drawings with elevations presented at the meeting be included as part of the approval.
2. The applicant will cover the costs for the widening and turn lane improvements required on S.R. 83, as outlined in the Turn Lane Analysis by TMS Engineers Inc.

Motion carried (7-0).

**CASE NO. CPC-24-7 Kopf Construction Corporation, Major Subdivision Improvement Plan Approval for South Port Subdivision No. 3.** South Port Subdivision No. 3 consists of 20 single-family homes. It is situated south of Walker Road along South Port Drive extending southward past Hidden Cove to the west and Millside Lane to the east. Applicable Code Sections: 1214.05: Major Subdivision and 1238: Subdivision Design Standards apply. Based on a recommendation from the Planning Commission to the City Council, this application will be placed on the City Council agenda at its next regularly scheduled meeting.

James Sayler, an engineer with The Henry G. Reitz Engineering Co. at 4214 Rocky River Drive, Cleveland, presented the final phase of the South Port Subdivision. Mr. Sayler noted that after the Planning Commission packets were distributed, there were a few minor comments from the City Engineer and Avon Lake Regional Water (ALRW). Mr. Howard requested an adjustment to the slope of a storm sewer run and some minor changes to a storm sewer leading to the common area. ALRW also had additional comments, all of which were agreed upon. These changes do not affect the street layout, lot size, or overall layout.

Mayor Spaetzel sought clarification on any outstanding engineering issues. Mr. Howard confirmed that he reviewed the plans, and the applicant addressed all his comments.

Mr. Sayler addressed the Planning Commissioner's comments as follows:

1. **Gable Creek Clean-up and Culvert Installation:** Gable Creek has been cleaned up to the point where we are making the crossings. A three-sided culvert will be installed to facilitate this crossing. We aimed for maximum depth to enhance capacity, but further deepening provides no additional benefit. Beyond this point, the creek takes a right-angle turn along the south side of the Port Side subdivision. There is an overflow that does allow for larger storms to pass through.
2. **Grading Plan and Rear Yard Drainage:** Between the backs of Lots 68 – 72, there is a rear yard drainage system. A rear yard drain will serve two backyards, with the storm sewer running between two houses to the cul-de-sac and back out. Due to challenges with storm sewer depths, we split the storm drainage into trunk lines. The west half drains into the 30<sup>th</sup> storm sewer and the retention basin, while the east half goes through the street and catch basin. The rear yard storm sewers are larger than normal.
3. **Public Streets and Main Stormwater Lines:** South Port Drive and Annapolis Cove are public streets. The main stormwater lines between Lots 67 and 68 will be a city main, with an easement identified on the drawing. This easement is large enough for the City to access with their equipment.
4. **Storm Sewer Between Lots 76 and 77:** There will be a storm sewer between Lots 76 and 77, but it is not a city main as it does not drain water from a city street.

5. **Landscaping in Cul-De-Sac Circle (Page 8 of 16):** The cul-de-sac circle will feature an island and pavement, landscaped similarly to other South Port cul-de-sacs. Although it is within the city's right of way, the homeowner's association is responsible for maintaining the landscaping, as stipulated in the covenants.
6. **Vegetative Buffer Strip (Page 9 of 16):** A vegetative buffer strip is considered the best management practice for stormwater pollution prevention. It will help prevent sediment from entering Gable Ditch during construction. After construction, it will be part of someone's rear yard, with a narrow strip (Block G) owned and maintained by the homeowner's association. There are blanket easements on all blocks allowing the city to intervene if the HOA fails to maintain them. Mrs. Fenderbosch requested a 2-foot width buffer around the retention basin be maintained according to EPA and ODNR best practices.
7. **Traffic Signage (Page 6 of 16):** Signage was added to direct traffic around the roundabout.
8. **Catch Basin Maintenance:** To address the issue of catch basins breaking at the end of driveways over time, adjustments can be made when drawing the individual house topo on the site. Sometimes moving the catch basin, a couple of feet can make a difference.
9. **Development Phases:** Kopf installed the first phase of South Port, a Kopf development, before selling the Port Side Subdivision to Pulte. Pulte is currently constructing Phase 2 and hopes to have it paved within the next week or two. Phase 3 plans are under review, with comments received, and may be presented to this body in August. The Gable Creek easement winds back and forth from Pulte and Kopf property to Walker Road, with a reciprocal easement in place to specify responsibilities due to the shared nature of the property.

Mr. Haas motioned, and Mrs. Raymond seconded to recommend approval of Case No CPC-24-7, Kopf Construction Corporation, Major Subdivision, Improvement Plan for South Port Subdivision No. 3 subject to addressing the following comments by Avon Lake Regional Water:

1. Edit the trench note on sheets 5–8;
2. Provide an additional sanitary manhole invert raceway detail;
3. Include more detail for the point of connection to the existing sanitary sewer stub; and
4. Receive EPA approval through Jack Gaydar's self-certification review.

This recommendation is based on the finding that the improvement plan conforms to the General Development Plan, complies with applicable zoning ordinances and other land use controls, and serves public use and interest. Motion Carried (7-0).

**CASE NO. CPC-24-10, Kopf Construction Corporation, Major Subdivision Final Plat Approval for Harbour P.U.D. Subdivision No. 4.** Harbour P.U.D. Subdivision No. 4 consists of 14 detached single-family lots spread across a 2.18-acre site between Walker Road Park to the south and the Cuyahoga County property line in Bay Village to the east. Applicable Code Sections: 1214.05: Major Subdivision and 1238: Subdivision Design Standards apply. Based on a recommendation from the Planning Commission to the City Council, this application will be placed on the City Council agenda at its next regularly scheduled meeting.

Mr. Sayler presented the final phase of the Harbour PUD Subdivision and addressed the Planning Commissioner's comments as follows:

1. **Blanket Storm Sewer Easement:** This type of easement covers the entire parcel of land, as opposed to a typical 20-foot-wide easement.
2. **Easement Between Lots 82 and 81:** There is a 15-foot easement between these lots, with the storm sewer draining to the lowest area.
3. **Rear Yard Setback:** The rear yard setback will be 5 feet, including patios and decks.
4. **Fees Certification:** The Finance Director has certified that all fees related to recording the plat have been received.

Mr. Howard reported that he, along with the ALRW and Public Works Directors, conducted a final walk-through last Friday. They created a punch list of minor issues, none of which would prevent approval. The developer and contractor are aware of these issues and must install the agreed-upon wetland signs.

Mr. Haas motioned, and Mayor Spaetzel seconded, to recommend to the City Council that Case No. CPC-24-10, Kopf Construction Corporation, Major Subdivision, Final Plat for Harbour PUD Subdivision No. 4 be approved. This approval is subject to the applicant completing the punch list items identified by the City Engineer and installing the wetland signs. The recommendation finds that the improvement plan conforms with the General Development Plan, applicable zoning ordinances, and other land use controls and that the subdivision will serve the public use and interest. Motion Carried (7-0).

**CASE NO. CPC-24-8 Pulte Homes and Kopf Construction Corporation, Major Subdivision Improvement Plan Approval for Legacy Isle Subdivision No. 3.** Legacy Isle Subdivision No. 3 consists of 27 single-family lots and three detached cluster units. It is situated south of Legacy Pointe Parkway, east of Avon Belden Road, and west of Jaycox Road. Applicable Code Sections: 1214.05: Major Subdivision and 1238: Subdivision Design Standards apply. Based on a recommendation from the Planning Commission to the City Council, this application will be placed on the City Council agenda at its next regularly scheduled meeting.

Mr. Sayler presented Phase 3 of the Legacy Isle Subdivision and addressed the Planning Commissioner's comments as follows:

1. **Golf Course Access:** There will be a single cart crossing from the golf course to the bathroom facility.
2. **Stormwater Management:** The existing pond serves as a stormwater retention pond, initially constructed during the first phase of the subdivision. Updates to the stormwater management plan have accompanied each subsequent improvement.
3. **Street Ownership:** The streets are public rights of way, except for the private drive for the cluster homes.
4. **Bridge Design and Maintenance:** The bridge will be designed to meet highway loading standards with future maintenance responsibilities resting with the City.
5. **Residential Building Specifications:** The single-family homes will have basements and comply with FEMA regulations. The cluster homes, situated near the existing pond, will



exclusively be constructed with slab foundations.

6. **Easement and Maintenance Documentation:** Documents have been submitted to the city acknowledging homeowners' awareness of easements. The homeowner association assumes responsibility for yard drain maintenance.
7. **Future Yard Drain Installations:** Future yard drains will be installed at the rear of properties upon individual house permit applications. Exact locations will be determined during construction, based on house size and site conditions.
8. **Maintenance Responsibilities:** The homeowner association bears primary responsibility for yard drain maintenance. Secondary access is granted to the City if maintenance lapses occur, with costs assessed to the homeowner association.
9. **Engineering Approval:** Detailed plans for the culvert, footers, and wing walls provided by the manufacturer will undergo engineering review and approval.
10. **Parking Provision:** Each home has a two-car garage and driveway space for two additional cars. Due to narrow streets preventing on-street parking, guest parking is provided. Three units have access to two guest parking spots, exceeding standard ratios. Adjacent to this area, is a 27-foot-wide pavement that allows for parallel parking along the main entry devoid of driveways or other residences.

Mrs. Fenderbosch inquired whether Pulte Homes could address landscape restoration between Jaycox and Legacy and smooth out the two dirt piles near the Heron Bay gate now that construction is complete.

Jeremy Krahe, representing Pulte Homes at 387 Medina Road, Medina, confirmed plans are underway to address these landscaping and site maintenance concerns.

Mr. Haas motioned, and Mr. Leitch seconded to recommend to the City Council approval of Case No. CPC-24-8, Pulte Homes and Kopf Construction Corporation, Major Subdivision, Improvement Plan for Legacy Isle Subdivision No. 3 subject to conditions outlined in the comments provided by the Engineer and Public Works Director including the installation of street signage and obtaining FEMA approval regarding basements before construction commences. The motion further finds that the improvement plan is in conformance with the General Development Plan and is in conformity with applicable zoning ordinances or other land use controls and that the subdivision will serve the public use and interest. Motion carried (7-0).

**CASE NO. CPC-24-12 Pulte Homes, Major Subdivision Final Plat Approval for Port West Subdivision No. 5.** The Port West Subdivision No. 5 consists of 21 detached single-family lots on 5.6127 acres. Port West Subdivision No. 5 is located on Caravel Court, south of Walker Road, north of Webber Road, between Coastal Drive on the east and Sorrento Lane on the west. Applicable Code Sections: 1214.05: Major Subdivision and 1238: Subdivision Design Standards apply. Based on a recommendation from the Planning Commission to the City Council, this application will be placed on the City Council agenda at its next regularly scheduled meeting.

Mr. Sayler presented the last phase of the Port West Subdivision and responded to the Planning Commissioner's comments as follows:

1. **Storm Sewer Easements:** There are two storm sewer easements between Lots 137 and 138, as well as between Lots 133 and 134. A major storm sewer along the backyard

connects to the street to access the street catch basin, serving a significant drainage area for which an easement has been provided to the City.

Mayor Spaetzel mentioned that a traffic study was conducted to determine if a traffic light was warranted. The study concluded that a traffic light was not warranted but identified an increase in traffic volume. Following discussions with Community Development Director Esborn, an agreement was proposed where the City would request the installation of a Rectangular Rapid Flashing Beacon (RRFB). Pulte Homes expressed willingness to contribute to the installation cost, not exceeding \$25,000.

Jeremy Krahe, representing Pulte Homes at 387 Medina Road clarified that he was not involved in the RRFB discussion but affirmed Pulte's commitment to being a cooperative partner with the City. He expressed his understanding that this contribution was not initially envisioned in the study or memorandum of understanding provided to the City.

The revised memorandum of understanding is pending Council approval, with provisions for reimbursing Pulte if the RRFB installation costs less than \$50,000.

Mrs. Fenderbosch inquired about the collection of all project-related fees. Mrs. La Rosa confirmed the Finance Director has certified the receipt of all fees related to recording the plat.

Mr. Howard advised that during the final project walk-through, he noticed the low area behind Lots 128 – 131, indicating a need for filling to avoid future resident issues. Mr. Krahe assured the Planning Commission this area would be filled with soil moved during the construction of each home.

Mr. Haas motioned, and Mr. Leitch seconded to recommend to the City Council Case No. CPC-24-12, Pulte Homes, Major Subdivision Final Plat Approval for Port West Subdivision No. 5. subject to the execution of a memorandum of understanding with the City of Avon Lake for cost-sharing the installation of a rectangular rapid flashing beacon at the intersection of Midship Drive, Moorewood Avenue, and Walker Road, not to exceed \$25,000 and finding that the improvement plan is in conformance with the General Development Plan and is in conformity with applicable zoning ordinances or other land use controls and that the subdivision will serve the public use and interest. Motion carried (7-0)

### **OTHER PUBLIC COMMENTS**

Len Kosatka, residing at 32400 Legacy Pointe Parkway, Avon Lake, raised concerns about traffic speed along Legacy Pointe Parkway and advocated for a four-way stop sign at the intersection of Legacy Pointe Parkway and Legacy Isle Parkway. In response, Mrs. Fenderbosch advised that the determination to implement a four-way stop sign rests with Engineering and the Police Department.

### **INFORMATIONAL ITEM**

None

**DISCUSSION ITEM**

None


**GENERAL PUBLIC COMMENT**

The next regular meeting of the Planning Commission is Tuesday, July 2, 2024.

**ADJOURNMENT**

Mr. Leitch moved, and Mrs. Raymond seconded to adjourn the meeting at 9:12 pm.  
Motion carried (7-0).

  
\_\_\_\_\_  
Planning Commission  
Chairperson Ma

  
\_\_\_\_\_  
Recording Secretary  
Kelly La Rosa